

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY , FEBRUARY 11 19 86

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING February 11 A.D., 19 86,
IN Regular SESSION. PRESIDENT Samuel J. Talarico
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND
Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING
MEMBERS _____ VIZ:

BRADBURY P, BURNS P, EISBART P,
GiaQUINTA P, HENRY P, REDD P,
SCHMIDT P, STIER P, TALARICO P,

ABSENT: _____

COUNCILMAN: _____, _____, _____,

THE INVOCATION WAS GIVEN BY _____

THE MINUTES OF THE LAST REGULAR January 28, 19 86,
_____, 19 ___,

SPECIAL , 19 ,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED
AND PUBLISHED.



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

31 January 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-12-09

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
31st day of January 1986.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-12-09

BILL NUMBER**Division of Community
Development & Planning**

| BRIEF TITLE | APPROVAL DEADLINE | REASON |
|--|--------------------------|---------------|
| Zoning Ordinance Amendment | | |
| DETAILS | | |
| Specific Location and/or Address 6502 St. Joe Road | | |
| Reason for Project WITHDRAWN AT PETITIONER'S REQUEST | | |
| Discussion (Including relationship to other Council actions) | | |
| POSITIONS | | |
| Sponsor | | |
| City Plan Commission | | |
| Area Affected | | |
| City Wide | | |
| Other Areas | | |
| Applicants/ Proponents | | |
| Applicant(s) John & Janet Sanner City Department | | |
| Other | | |
| Opponents | | |
| Groups or Individuals | | |
| Basis of Opposition | | |
| Staff Recommendation | | |
| <input type="checkbox"/> For <input type="checkbox"/> Against | | |
| Reason Against | | |
| Board or Commission Recommendation | | |
| By | | |
| <input type="checkbox"/> For <input type="checkbox"/> Against | | |
| <input type="checkbox"/> No Action Taken | | |
| <input type="checkbox"/> For with revisions to conditions (See Details column for conditions) | | |
| CITY COUNCIL ACTIONS (For Council use only) | | |
| <input type="checkbox"/> Pass <input type="checkbox"/> Other | | |
| <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold | | |
| <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass | | |

DETAILS**POLICY/ PROGRAM IMPACT**

| | | |
|-------------------------------|-----------------------------|---|
| Policy or Program Change | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes |
| | | |
| Operational Impact Assessment | | |
| | | |

(This space for further discussion)

Project Start**Date** 13 November 1985**Projected Completion or Occupancy****Date** 31 January 1986**Fact Sheet Prepared by****Date** 31 January 1986

Patricia Biancaniello

Reviewed by**Date**

1/31/86

Reference or Case Number*Gary Saito*

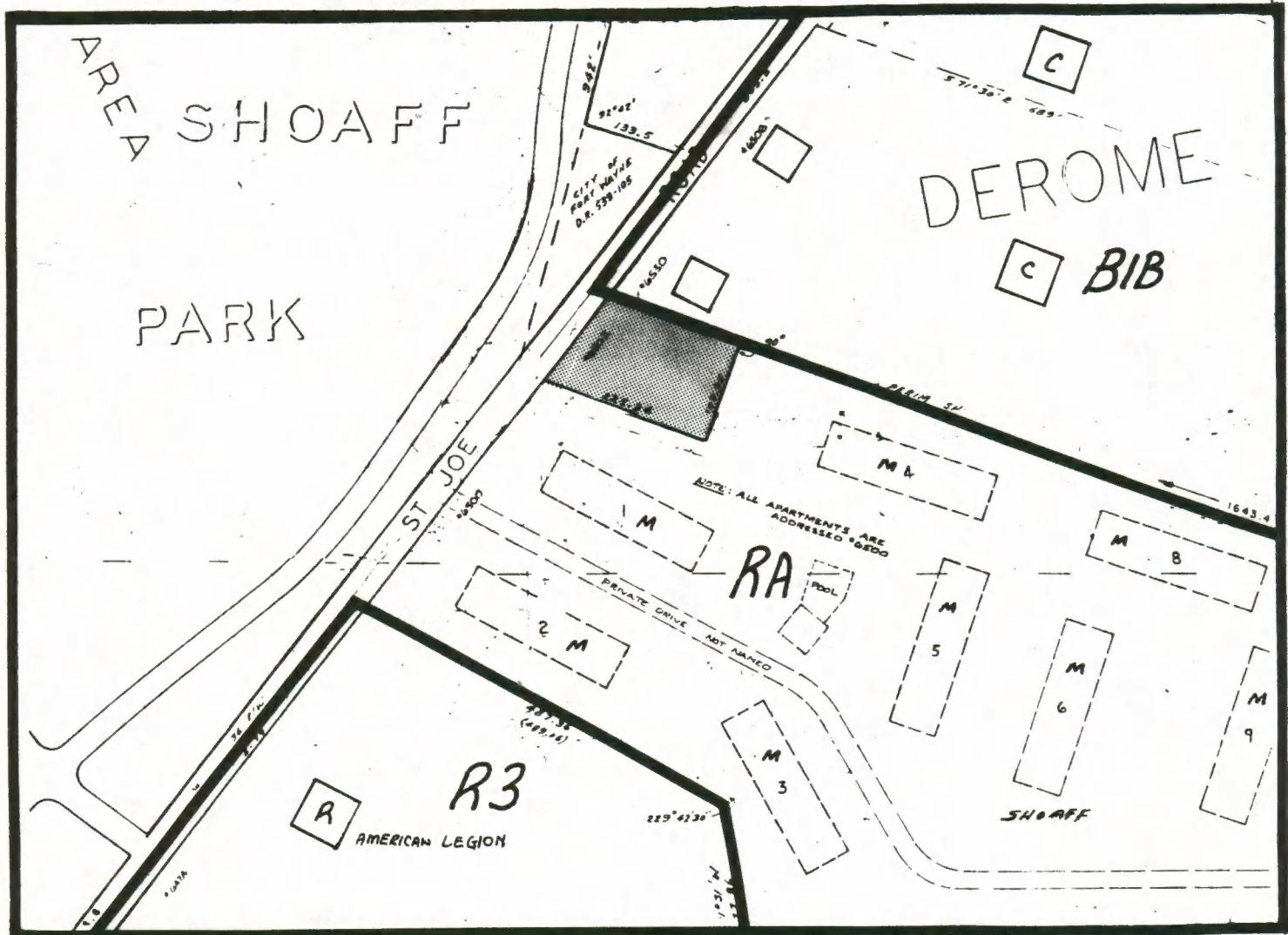
ZONING PETITION

#170

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN RA DISTRICT TO A BIB DISTRICT.

MAP NO. S-42

COUNCILMANIC DISTRICT NO. 2



Zoning:

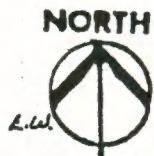
- RA RESIDENCE 'A'
- BIB LIMITED BUSINESS 'B'
- R3 RESIDENTIAL DISTRICT

Land Use:

- SINGLE FAMILY
- MULTI-FAMILY
- COMMERCIAL
- RECREATIONAL-CLUB

Scale: 1"=200'

Date: 11-20-85



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 10, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-12-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as require by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on December 16, 1985; and,

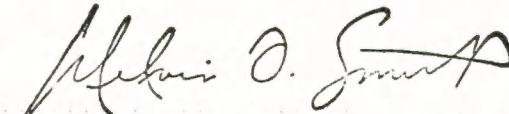
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 30, 1985.

Certified and signed this
31st day of January 1986.



Melvin O. Smith
Secretary



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

5 February 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a portion of an alley.

The proposed ordinance is designated as:

BILL NO. G-86-01-28

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
5th day of February 1986.

A handwritten signature in black ink, appearing to read "Melvin O. Smith".

Melvin O. Smith
Secretary

FACT SHEET

G-86-01-28

BILL NUMBER**Division of Community
Development & Planning**

| <u>BRIEF TITLE</u> | <u>APPROVAL DEADLINE</u> | <u>REASON</u> |
|--------------------------|--------------------------|---------------|
| Alley Vacation Ordinance | | |

| DETAILS | | POSITIONS | RECOMMENDATIONS |
|--|--|--|---|
| Specific Location and/or Address First alley west of Roy Street adjacent to lots 3 thru 7 in Didrick's Addition. | | Sponsor | City Plan Commission |
| Reason for Project To construct a temporary structure across alley. | | Area Affected | City Wide Other Areas |
| Discussion (Including relationship to other Council actions) <u>27 January 1986 - Public Hearing</u> William Branstrator, plant manager for Fort Wayne Anodizing stated they wished to construct a temporary enclosure across a portion of the alley and maintain all easement rights for the utilities. He stated the temporary enclosure will be to connect two buildings together on either side of the alley. President of the Eastside Community Association stated they were opposed to the vacation. She stated that this alley is used for access to Wayne Trace by the neighborhood. She stated she also felt it would be a detriment to the area to allow further development across the alley. She questioned if this would add security problems to the area. Mr. Branstrator explained that this will in no way be a detriment. He stated that the enclosure will warrant the need for additional lighting which will add to the security in the area. He stated that there will still be access through the alley to Raymond Street due to the fact that this | | Applicants/ Proponents | Applicant(s) Fort Wayne Anodizing City Department Other |
| | | Opponents | Groups or Individuals President of Eastside Community Association Basis of Opposition - detriment to area -closing would inconvenience area residents by stopping access |
| | | Staff Recommendation | <input type="checkbox"/> For <input type="checkbox"/> Against Reason Against |
| | | Board or Commission Recommendation | By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions) |
| CITY COUNCIL ACTIONS (For Council use only) | | <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass | |

DETAILS

is presently a "T" alley and the vacation will make it into an "L" shaped alley. He stated it will in fact help to eliminate congestion onto Wayne Trace. He stated the addition will be for a loading dock.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

3 February 1986 - Business Meeting

Of the eight members present 7 voted in favor of returning the ordinance to the Common Council with a DO PASS recommendation, one did not vote. Motion carried.

POLICY/PROGRAM IMPACT

| | | |
|--------------------------------------|-----------------------------|------------------------------|
| Policy or Program Change | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
| | | |
| | | |
| | | |
| Operational Impact Assessment | | |
| | | |
| | | |
| | | |

(This space for further discussion)

Project Start **Date** 17 December 1985

Projected Completion or Occupancy **Date** 5 February 1986

Fact Sheet Prepared by _____ Date 5 February 1986

Patricia Biancaniello

Reviewed by _____ **Date** _____

Suey Carter
Reference or Case Number

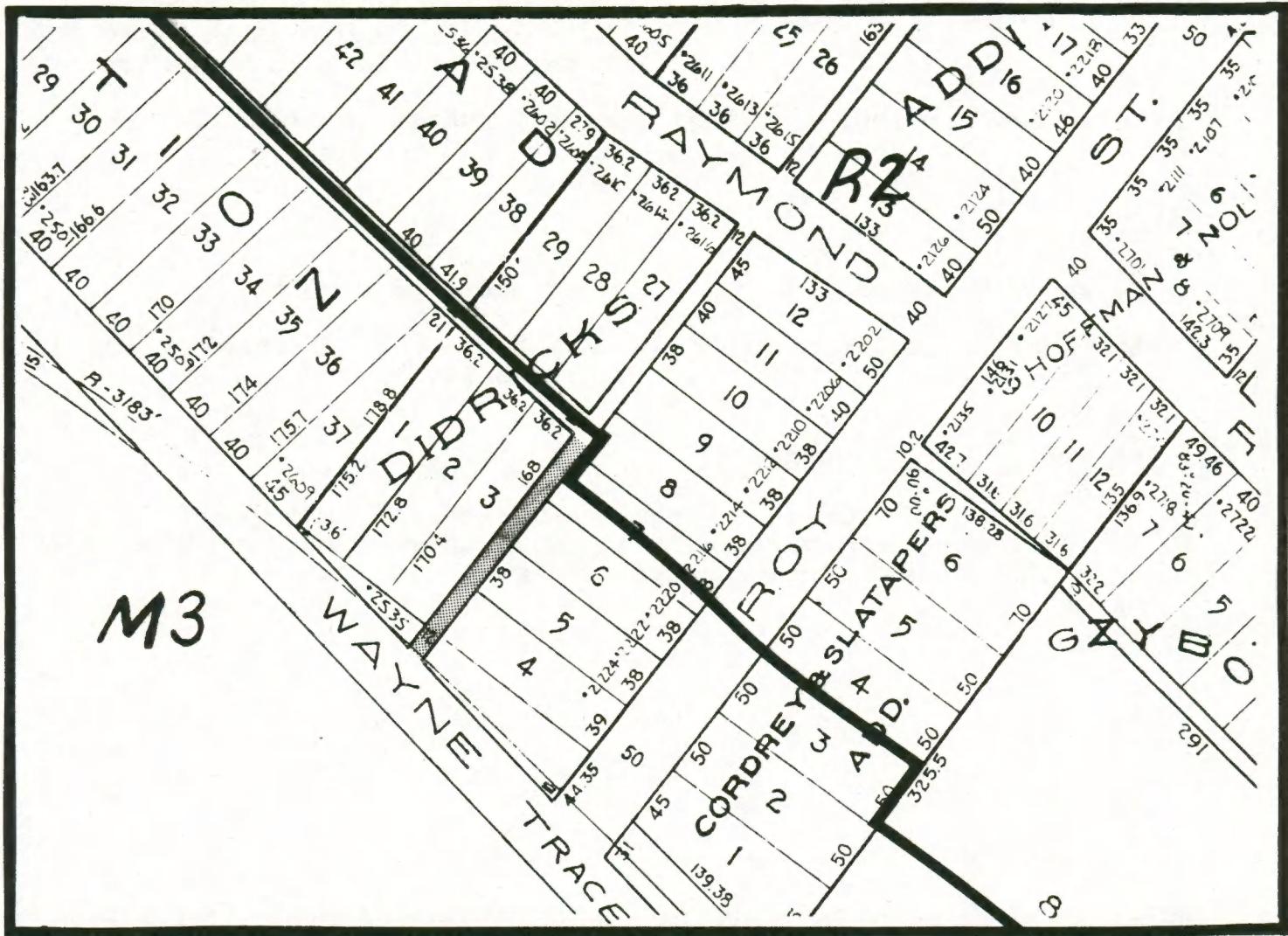
VACATION PETITION

#175

A PETITION TO VACATE THE DESCRIBED PORTION OF PUBLIC ALLEY.

MAP NO. Q-3

COUNCILMANIC DISTRICT NO. 1



Zoning:

Land Use:

R2 RESIDENTIAL DISTRICT

M3 HEAVY INDUSTRY

6-86-61-28

Scale: 1" = 100'

19

Date: 1-6-86

NORTH



Vacation Petition #175

13 January 1986

PROPOSAL: William Branstrator petitions for vacation of a portion of a public alley.

GENERAL INFORMATION:

Location: Northeasterly from Wayne Trace,
the first alley Northwest of Roy
Street (2500 Block of Wayne Trace).

Legal Description: Metes & Bounds in File

Existing Zoning: DNA

Size of Property: 12' x 168' ±

Reason For Request: Enlargement of business.

Applicable Regulations: This parcel is currently public
right-of way.

PLANNING STAFF DISCUSSION:

We have no objection to this vacation, as it appears to have little or no affect upon surrounding properties, and the alley does not appear to be necessary to the future growth of Fort Wayne.

RECOMMENDATION: Approval

Subject to releases from all utilities.

RESOLUTION 76-11-4

WHEREAS, FORT WAYNE ANODIZING has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public alley situated in Fort Wayne, Allen County, to-wit:

Part of an alley extending Northeasterly from Wayne Trace and approximately 133 feet, more or less, Northwest of Roy Street, more particularly described as follows:

Beginning at a point on the Northeast right-of-way of Wayne Trace said point being located 145 feet Northwest of the Northwest right-of-way of Roy Street with its intersection with Wayne Trace; thence Northeast along and parallel to the Southeast line of Lot #3 in Didrick's Addition a distance of 190 feet to the Southeast corner of said Lot #3; thence southeast and parallel to the Northeast line of said Lot #3 a distance of 12 feet to a point located on the Northwest line of Lot #8 in said addition; thence southwest along and parallel to the Northwest lot lines of Lots 4, 5, 6, 7 and 8 in said addition a distance of 190 feet to its intersection with the Northeast right-of-way of Wayne Trace; thence Northwest along the Northeast right-of-way of Wayne Trace a distance of 12 feet to the point of beginning, containing 0.083 acres, more or less.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of portion of public alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of public alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of public alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

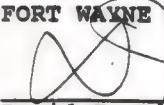
I, Dave J. Kistner, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held February 5, 1976 and as same appears of record in the official records of the Board of Public Works.

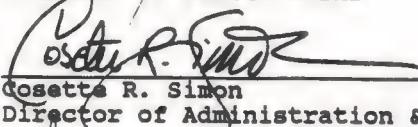
Resolution
Bill No. G-86-01-28

Page two

DATED THIS 5th DAY OF February 1986

FORT WAYNE BOARD OF PUBLIC WORKS


David J. Klester
Director of Public Works


Cosette R. Simon
Director of Administration & Finance


Lawrence D. Consalvos
Director of Public Safety

RESOLUTION

WHEREAS, FORT WAYNE ANODIZING, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public alley in Fort Wayne, Allen County, to-wit:

Part of an alley extending Northeasterly from Wayne Trace and approximately 133 feet, more or less, Northwest of Roy Street, more particularly described as follows:

Beginning at a point on the Northeast right-of-way of Wayne Trace said point being located 145 feet Northwest of the Northwest right-of-way of Roy Street with its intersection with Wayne Trace; thence Northeast along and parallel to the Southeast line of Lot #3 in Didrick's Addition a distance of 190 feet to the Southeast corner of said Lot #3; thence southeast and parallel to the Northeast line of said Lot #3 a distance of 12 feet to a point located on the Northwest line of Lot #8 in said addition; thence southwest along and parallel to the Northwest lot lines of Lots 4, 5, 6, 7 and 8 in said addition a distance of 190 feet to its intersection with the Northeast right-of-way of Wayne Trace; thence Northwest along the Northeast right-of-way of Wayne Trace a distance of 12 feet to the point of beginning, containing 0.083 acres, more or less.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on January 27, 1986, at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of public alley.

WHEREAS, said vacation of the portion of public alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of public alley in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

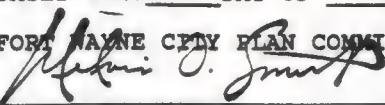
Resolution
Bill No. G-86-01-28

Page two

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held 3 February 1986, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 5th DAY OF February 1986

FOR THE WAYNE CITY PLAN COMMISSION


Melvin O. Smith
Secretary



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

5 February 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of railroad spur easement.

The proposed ordinance is designated as:

BILL NO. G-86-01-26

Respectfully submitted,

CITY PLAN COMMISSION

A handwritten signature in black ink, appearing to read "Melvin O. Smith".

Melvin O. Smith
Secretary

Certified and signed this
5th day of February 1986.

Division of Community Development & Planning

| BRIEF TITLE | APPROVAL DEADLINE | REASON | | | | | | | | | | | | | | | | | | |
|--|--|--------|-----------|-----------------|---------|----------------------|---------------|-----------|--|-------------|---------------------------|--|-----------|--|----------------------|---|------------------------------------|--|--|--|
| Easement Vacation Ordinance | | | | | | | | | | | | | | | | | | | | |
| DETAILS | | | | | | | | | | | | | | | | | | | | |
| Specific Location and/or Address Railroad Spur Easement in Section I, Interstate Industrial Park | | | | | | | | | | | | | | | | | | | | |
| Reason for Project Easement is not necessary and better use could be made of the property. | | | | | | | | | | | | | | | | | | | | |
| Discussion (Including relationship to other Council actions) <p><u>27 January 1986 - Public Hearing</u></p> <p>Ed Moppert, attorney for the petitioners stated that when Section I in Interstate Industrial Park was originally developed in 1971 they felt there was some need for a railroad spur. He stated that need has never developed.</p> <p>There was no one present who wished to speak in favor of or in opposition to the proposed vacation.</p> <p><u>3 February 1986 - Business Meeting</u></p> <p>Of the 8 members present 7 voted in favor of returning the ordinance to the Common Council with a DO PASS recommendation, one did not vote. Motion carried.</p> | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th>POSITIONS</th> <th>RECOMMENDATIONS</th> </tr> </thead> <tbody> <tr> <td>Sponsor</td> <td>City Plan Commission</td> </tr> <tr> <td>Area Affected</td> <td>City Wide</td> </tr> <tr> <td></td> <td>Other Areas</td> </tr> <tr> <td>Applicants/ Proponents</td> <td> Applicant(s) Interstate Industrial Park City Department Other </td> </tr> <tr> <td>Opponents</td> <td> Groups or Individuals Basis of Opposition </td> </tr> <tr> <td>Staff Recommendation</td> <td> <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against </td> </tr> <tr> <td>Board or Commission Recommendation</td> <td> By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition) </td> </tr> <tr> <td>CITY COUNCIL ACTIONS (For Council use only)</td> <td> <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass </td> </tr> </tbody> </table> | | | POSITIONS | RECOMMENDATIONS | Sponsor | City Plan Commission | Area Affected | City Wide | | Other Areas | Applicants/ Proponents | Applicant(s) Interstate Industrial Park City Department Other | Opponents | Groups or Individuals Basis of Opposition | Staff Recommendation | <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against | Board or Commission Recommendation | By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition) | CITY COUNCIL ACTIONS (For Council use only) | <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass |
| POSITIONS | RECOMMENDATIONS | | | | | | | | | | | | | | | | | | | |
| Sponsor | City Plan Commission | | | | | | | | | | | | | | | | | | | |
| Area Affected | City Wide | | | | | | | | | | | | | | | | | | | |
| | Other Areas | | | | | | | | | | | | | | | | | | | |
| Applicants/ Proponents | Applicant(s) Interstate Industrial Park City Department Other | | | | | | | | | | | | | | | | | | | |
| Opponents | Groups or Individuals Basis of Opposition | | | | | | | | | | | | | | | | | | | |
| Staff Recommendation | <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against | | | | | | | | | | | | | | | | | | | |
| Board or Commission Recommendation | By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition) | | | | | | | | | | | | | | | | | | | |
| CITY COUNCIL ACTIONS (For Council use only) | <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass | | | | | | | | | | | | | | | | | | | |

DETAILS**POLICY/PROGRAM IMPACT**

| | | |
|--------------------------------------|-----------------------------|------------------------------|
| Policy or Program Change | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
| | | |
| Operational Impact Assessment | | |
| | | |

(This space for further discussion)

Project Start**Date** 25 November 1985**Projected Completion or Occupancy****Date** 5 February 1986**Fact Sheet Prepared by****Date** 5 February 1986

Patricia Biancaniello

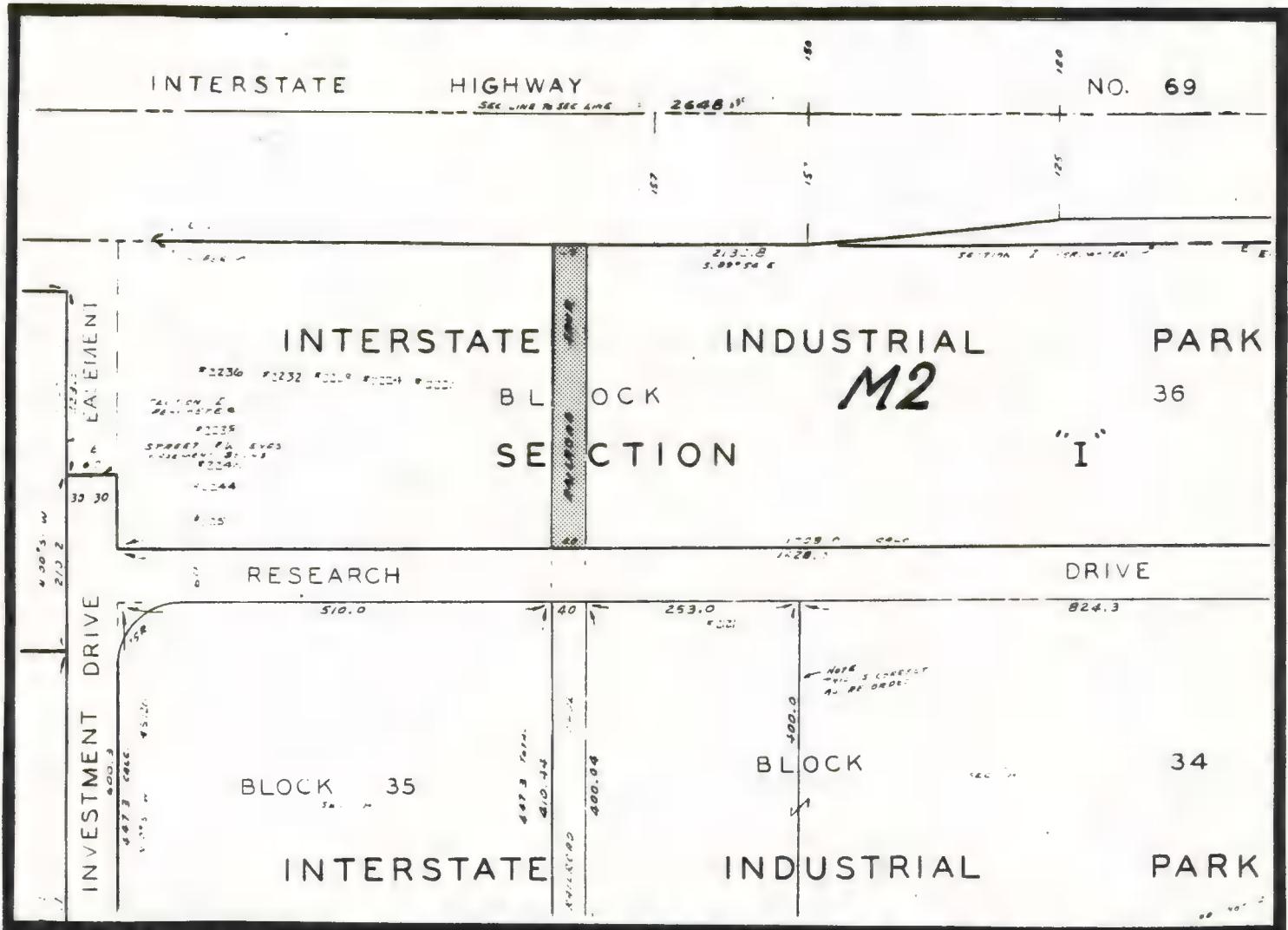
Reviewed by*Sue Butler***Date***2/5/86***Reference or Case Number**

VACATION PETITION #179

A. PETITION TO VACATE THE DESCRIBED PORTION OF RAILROAD SPUR.

MAP NO. J-34

COUNCILMANIC DISTRICT NO. 3



Zoning:

Land Use:

M2 GENERAL INDUSTRY

8-86-81-2!



Scale: 1" = 200'

Date: 1-6-86

Vacation Petition #179

13 January 1986

PROPOSAL: Petitioner request a vacation of an easement.

GENERAL INFORMATION:

Location: North off of Research Drive (2200 Block)

Legal Description: Metes & Bounds in File

Existing Zoning: DNA

Size of Property: .33 Acres ±

Reason For Request: Not stated.

PLANNING STAFF DISCUSSION:

We have no objection to this vacation, as it apparently will have little or no effect on surrounding properties, and does not appear to be necessary to the future growth of Fort Wayne.

Vacation may, in fact, allow the petitioner to fully develop this parcel, and provide for growth in the commercial and industrial areas of Fort Wayne.

RECOMMENDATION:

Approval

Subject to releases being received from the railroad.

RESOLUTION 76-11-3

WHEREAS, INTERSTATE INDUSTRIAL PARKS, INC. AND MAGNAVOX GOVERNMENT AND INDUSTRIAL ELECTRONICS COMPANY have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following railroad spur easement situated in Fort Wayne, Allen County, to-wit:

The East 40.0 feet of the West 550.0 feet of that portion of Section I, Interstate Industrial Park, which lies East of East right-of-way line of Investment Drive and the northerly prolongation of that right-of-way line,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of railroad spur easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said railroad spur easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said railroad spur easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said railroad spur easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, David J. Kiester, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held February 5, 1986 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 5th DAY OF February 1986

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester
Director of Public Works

Cosette R. Simon
Director of Administration & Finance

Resolution
Bill No. G-86-01-26

Page two

Lawrence D. Consalvos
Lawrence D. Consalvos
Director of Public Safety

RESOLUTION

WHEREAS, INTERSTATE INDUSTRIAL PARKS, INC. AND MAGNAVOX GOVERNMENT AND INDUSTRIAL ELECTRONICS COMPANY, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following railroad spur easement in Fort Wayne, Allen County, to-wit:

The East 40.0 feet of the West 550.0 feet of that portion of Section I, Interstate Industrial Park, which lies East of East right-of-way line of Investment Drive and the northerly prolongation of that right-of-way line,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on January 27, 1986, at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said railroad spur easement.

WHEREAS, said vacation of railroad spur easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said railroad spur easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said railroad spur easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of railroad spur easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

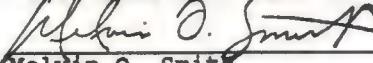
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said railroad spur easement in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held 3 February 1986, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 5th DAY OF February 1986

FORT WAYNE CITY PLAN COMMISSION


Melvin O. Smith
Secretary



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

5 February 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated utility easement.

The proposed ordinance is designated as:

BILL NO. G-86-01-25

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
5th day of February 1986.

Melvin O. Smith
Secretary

FACT SHEET

G-86-01-25

BILL NUMBER**Division of Community
Development & Planning**

| BRIEF TITLE | APPROVAL DEADLINE | REASON | |
|--|--------------------------|--|--|
| Easement Vacation Ordinance | | | |
| DETAILS | | POSITIONS | RECOMMENDATIONS |
| Specific Location and/or Address | | Sponsor | City Plan Commission |
| 200 Block of Collins Road | | Area Affected | City Wide Other Areas |
| Reason for Project | | Applicants/ Proponents | Applicant(s) Thomas G. Bastress City Department Other |
| Discussion (Including relationship to other Council actions) | | Opponents | Groups or Individuals Basis of Opposition |
| 27 January 1986 - Public Hearing | | Staff Recommendation | <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against |
| Thomas G. Bastress, 8203 Ravinia Drive, petitioner stated that he was requesting the vacation in order to expand the present building at 310 Collins Road. He stated he wanted to expand it approximately 35 feet to the east, which would necessitate the vacating of the easement. He stated that the easement is not being used by any utilities. | | Board or Commission Recommendation | <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions) |
| There was no one present who wished to speak in favor of or in opposition to the proposed vacation. | | CITY COUNCIL ACTIONS (For Council use only) | <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass |
| 3 February 1986 - Business Meeting | | | |
| Of the eight members present 7 voted in favor of returning the ordinance to the Common Council with a DO PASS recommendation, one did not vote. Motion carried. | | | |

DETAILS**POLICY/PROGRAM IMPACT**

| | | |
|-------------------------------|-----------------------------|------------------------------|
| Policy or Program Change | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
| | | |
| | | |
| | | |
| Operational Impact Assessment | | |
| | | |
| | | |
| | | |

(This space for further discussion)

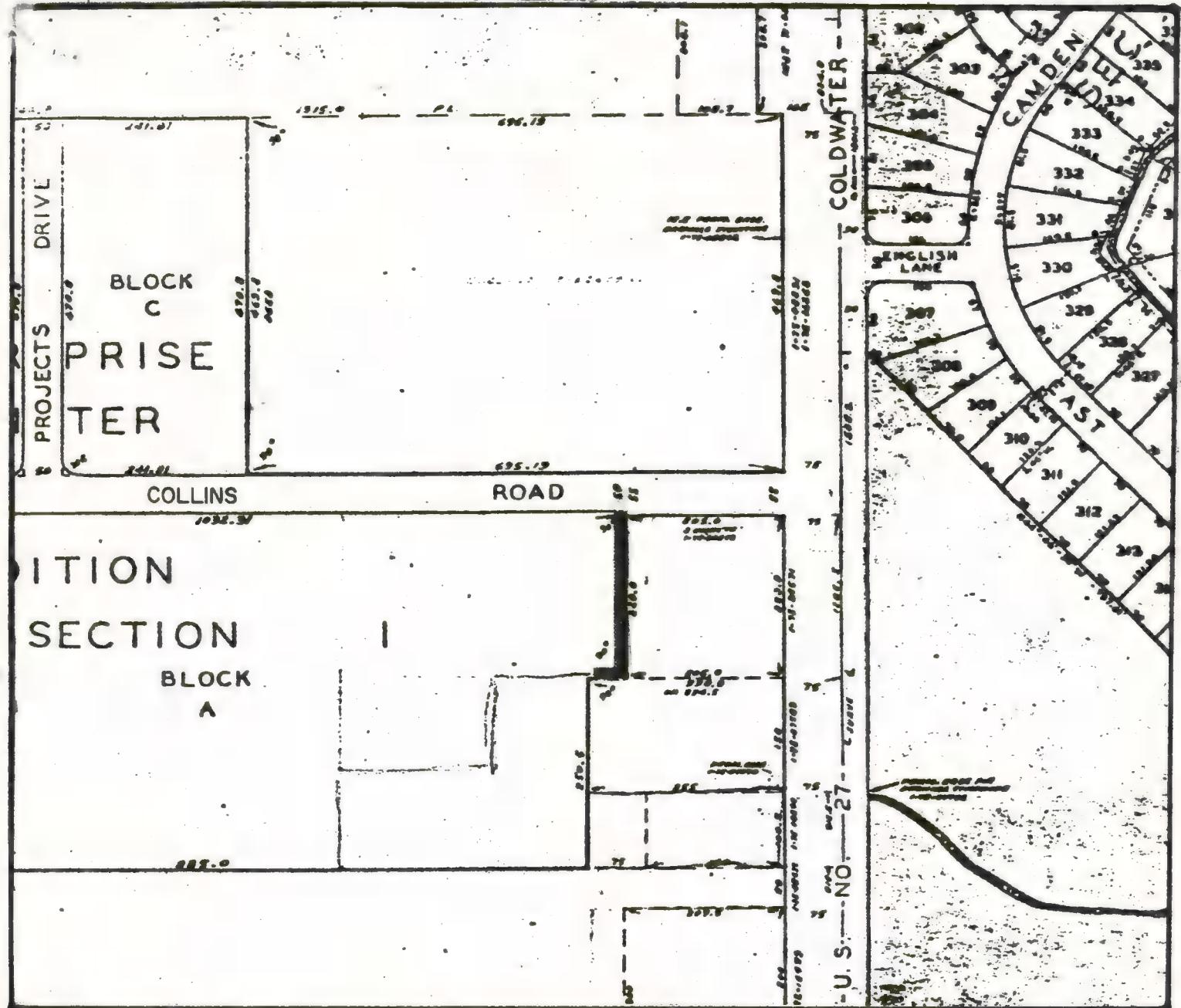
Project Start**Date** 24 June 1983 - (Adequate legal was not received until January of 1986)**Projected Completion or Occupancy****Date** 5 February 1986**Fact Sheet Prepared by****Date** 5 February 1986

Patricia Biancaniello

Reviewed by*Sue Butler***Date**

2/5/86

Reference or Case Number



■ A PETITION TO VACATE THE DESCRIBED
PORTION OF UTILITY EASEMENT.

Petition #045

MAP NO. M-30
G-86-01-25



Vacation Petition #045

13 January 1986

PROPOSAL: Thomas Bastress petitions for the vacation of a utility easement.

GENERAL INFORMATION:

Location: Off of Collins Road
(Approximately the 200 Block)

Legal Description: Metes & Bounds in File

Existing Zoning: DNA

Size of Property: .10 Acres ±

Reason For Request: Not stated.

Applicable Regulations: Existing easements are reserved for specific uses.

PLANNING STAFF DISCUSSION:

We have no objection to the vacation of this easement, as the vacation will have little or no effect upon surrounding properties, and does not appear to be necessary to the continued growth of Fort Wayne.

Vacation may also aid the petitioner in developing full use of this parcel, thereby increasing the growth of Fort Wayne's industry and commerce.

RECOMMENDATION: Approval

Subject to releases from affected utilities.

RESOLUTION 76-11-2

WHEREAS, THOMAS G. BASTRESS has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement situated in Fort Wayne, Allen County, to-wit:

Beginning at the northeast corner of Block "A" in Enterprise Center, Section I (recorded in Plat Book 32, pages 69 and 70 in the Allen County Recorder's Office); thence west along the south right-of-way line of Collins Road a distance of 14 feet; thence south by a deflection of 90 degrees left a distance of 211 feet; thence West by a deflection of 90 degrees right a distance of 36 feet; thence South by a deflection of 90 degrees left a distance of 7 feet; thence East by a deflection of 90 degrees left a distance of 50 feet to the east line of said Block "A"; thence North by a deflection of 90 degrees left along said east line a distance of 218 feet to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, David J. Kiester, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held February 5, 1986 and as same appears of record in the official records of the Board of Public Works.

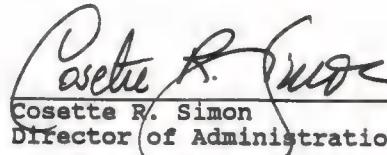
DATED THIS 5th DAY OF February 1986

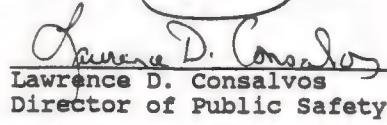
FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester
Director of Public Works

Resolution
Bill No. G-86-01-25

Page two


Cosette R. Simon
Director of Administration & Finance


Lawrence D. Consalvos
Director of Public Safety

RESOLUTION

WHEREAS, THOMAS G. BASTRESS has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement in Fort Wayne, Allen County, to-wit:

Beginning at the northeast corner of Block "A" in Enterprise Center, Section I (recorded in Plat Book 32, pages 69 and 70 in the Allen County Recorder's Office); thence west along the south right-of-way line of Collins Road a distance of 14 feet; thence south by a deflection of 90 degrees left a distance of 211 feet; thence West by a deflection of 90 degrees right a distance of 36 feet; thence South by a deflection of 90 degrees left a distance of 7 feet; thence East by a deflection of 90 degrees left a distance of 50 feet to the east line of said Block "A"; thence North by a deflection of 90 degrees left along said east line a distance of 218 feet to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on January 27, 1986 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated utility easement.

WHEREAS, said vacation of the dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of the dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated utility easement in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

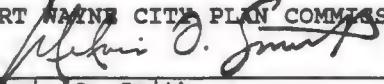
I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held 3 February 1986, and as the same appears of record in the official records of said Plan Commission.

Resolution
Bill No. G-86-01-25

Page two

DATED THIS 5th DAY OF February 1986

FORT WAYNE CITY PLAN COMMISSION


Melvin O. Smith
Secretary



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

5 February 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

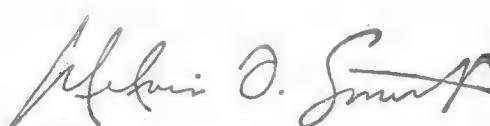
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-86-01-23

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
5th day of February 1986.


Melvin O. Smith
Secretary

FACT SHEET

7-86-01-23 As Amended

BILL NUMBER

Division of Community Development & Planning

| BRIEF TITLE | APPROVAL DEADLINE | REASON | |
|---|-------------------|--|--|
| Zoning Ordinance Amendment | | | |
| DETAILS | | POSITIONS | RECOMMENDATIONS |
| Specific Location and/or Address 3714 Lake Avenue | | Sponsor | City Plan Commission |
| Reason for Project To construct a Day Care Center. | | Area Affected | City Wide Other Areas |
| Discussion (Including relationship to other Council actions) <u>January 27, 1986 - Public Hearing</u> | | Applicants/ Proponents | Applicant(s) Mildred Graves City Department Other |
| David Scott, attorney for the petitioners appeared before the Commission. Mr. Scott stated he was appearing for the potential purchasers. He stated that the proposed use of th parcel is for a child day care center. He stated that subsequent to the filing of the petition they had learned they had requested an unnecessarily liberal zoning and that a B-1-B would permit the proposed use. He stated that the staff recommendation is to perfect the request to a B-1-B. He stated that they are agreeable to that recommendation. He stated that the property to the east is zoned B-1-B and felt that this rezoning would be consistent with the area. Steve Smith asked if they were going to use the structure presently on the property or raze it and build a new structure. Mr. Scott stated they planned to build a new structure. There was no one present who wished to speak in favor of or in opposition to the proposed rezoning. | | Opponents | Groups or Individuals Basis of Opposition PERFECT TO B-1-B |
| | | Staff Recommendation | <input checked="" type="checkbox"/> For <input type="checkbox"/> Against PERFECT TO B-1-B |
| | | Board or Commission Recommendation | <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition) |
| | | CITY COUNCIL ACTIONS (For Council use only) | <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass |

DETAILS

February 3, 1986 - Business Meeting

A motion was made to return the ordinance to the Common Council with a DO PASS recommendation PERFECTED TO A B-1-B.

Of the 8 members present 7 voted in favor of approval as perfected, one did not vote.

Motion carried.

POLICY/PROGRAM IMPACT

| | | |
|--------------------------------------|-----------------------------|------------------------------|
| Policy or Program Change | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
| | | |
| | | |
| | | |
| Operational Impact Assessment | | |
| | | |
| | | |
| | | |

(This space for further discussion)

Project Start

Date December 17, 1985

Projected Completion or Occupancy

Date February 5, 1986

Fact Sheet Prepared by

Date February 5, 1986

Patricia Biancaniello

Reviewed by

Date

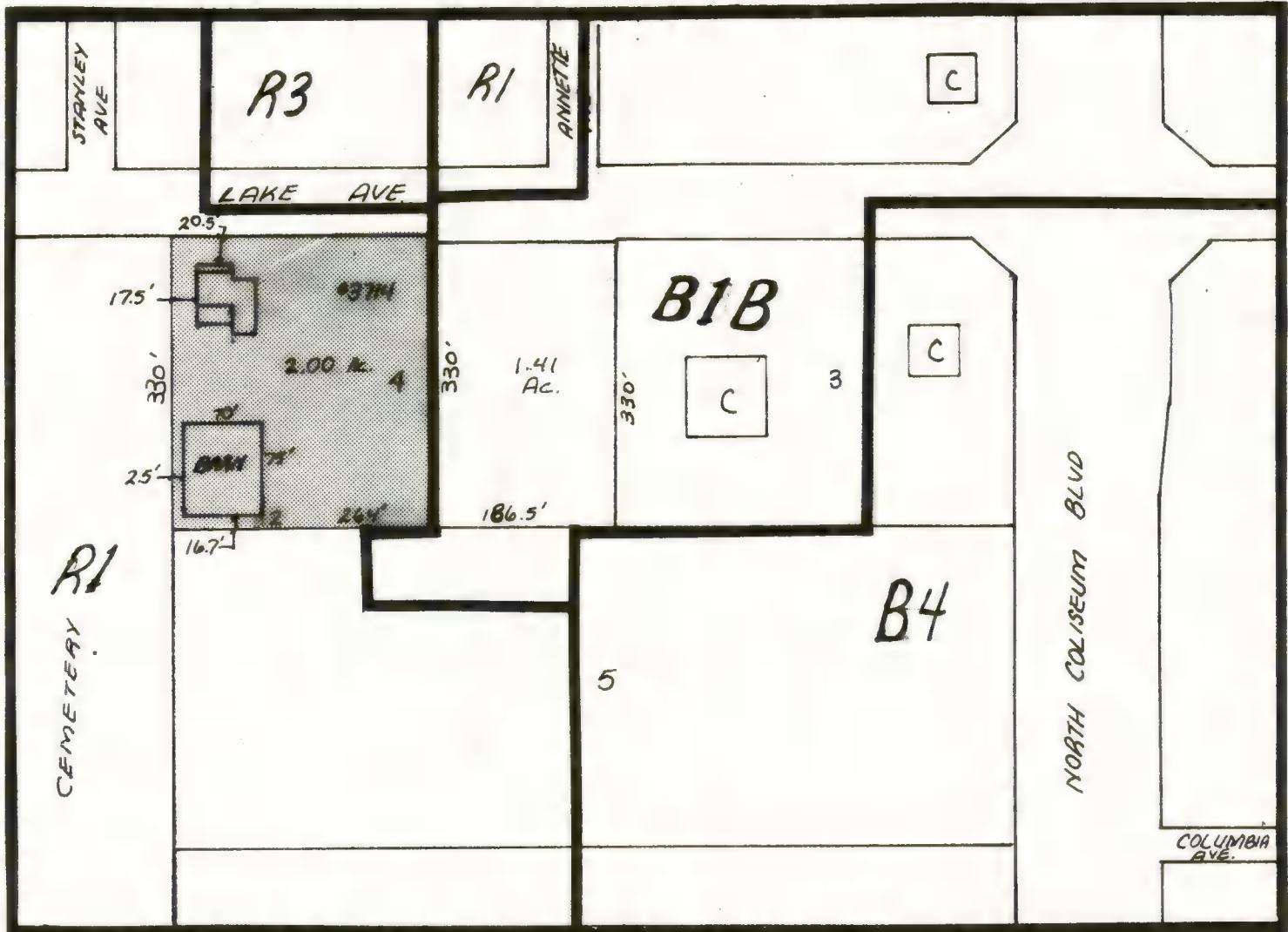
2/5/86

Dawn Baetz
Reference or Case Number

REZONING PETITION #176
A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING
DESCRIBED PROPERTY FROM AN RI DISTRICT TO A B3B DISTRICT.

MAP NO. R-10

COUNCILMANIC DISTRICT NO. 2



Zoning:

- RI RESIDENTIAL DISTRICT
- R3 RESIDENTIAL DISTRICT
- B1B LIMITED BUSINESS 'B'
- B4 ROADSIDE BUSINESS

Land Use:

- SINGLE FAMILY
- COMMERCIAL

7-86-1-23

Scale: 1"=175'

84 Date: 1-6-86



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 28, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-01-23; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 27, 1986.

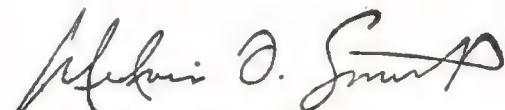
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 3, 1986.

Certified and signed this
5th day of February 1986.



Melvin O. Smith
Secretary

Change of Zone #176

PROPOSAL: Robert Hoover, attorney for Mildred Graves, petitions for a change of zone from R-1 to B-3-B.

GENERAL INFORMATION:

Location: 3714 Lake Avenue
Legal Description: Metes & Bounds in File
Existing Zoning: R-1
Size of Property: 2 Acres, +
Surrounding Land Use & Zoning: North - R3 & R1
South - R1
East - B-1-B Commercial
West - R1 - Cemetery
Reason For Request: Child Care Center
Applicable Regulations: R-1 is a predominate single family residential classification.

SPECIAL INFORMATION:

Public Utilities: Are available.
Physical Characteristics: There is currently a residential structure on this parcel.
Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezonings and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The goal in the Middle Ring, where this request is located, is to maintain investments and prevent deterioration in existing neighborhoods. While the Comprehensive Plan shows this sector of Lake Avenue as potential commercial the existing land uses would indicate that B-3-B designation sets an undesirable precedent allowing more intense use than is appropriate.

Change of Zone #176
10 January 1986

Page two

Neighborhood Planning: There is no neighborhood plan for this area.

Urban Design: No Comment

HANDS: No Comment

Housing Authority: No Comment

SHED: No Comment

PLANNING STAFF DISCUSSION:

This area of Lake Avenue has some limited business uses and designations in place at this time. The Comprehensive Plan also indicates this area as being of commercial potential. The cemetery property could serve as a buffer separating commercial and residential uses, or to lessen the impact of those commercial uses.

The requested B-3-B classification would allow general commercial uses ranging from auto showrooms and repair to nightclubs, etc. The intensity of a general business or B-3-B use can be much greater than those of lower classifications. While development on the north side of Lake does indicate some commercial or "office type" uses, we still have active residential properties to be considered. The requested B-3-B designation may not only be too intense for this situation, but may also establish an unfair precedent for this or similar areas, as the only existing commercial designation (other than on Coliseum Blvd) is B-1-B.

We would prefer to see that parcel developed as a POD or some other transitional office site, but realizing the potential merits of commercialization, we would recommend that the Plan Commission perfect the petition to B-1-B.

The B-1-B designation would be compatible with existing land uses, and would abut an existing B-1-B designated parcel. This designation would permit the development of a child care center, and would not intensify the impact on residential properties to the north. The existance of the cemetery, to the west, would serve as a buffer, to discourage further commercialization.

RECOMMENDATION:

Perfect to B-1-B and Approve



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

5 February 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-86-01-24

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
5th day of February 1986.

Melvin O. Smith
Secretary

FACT SHEET

Z-86-01-24

BILL NUMBER**Division of Community
Development & Planning**

| BRIEF TITLE | APPROVAL DEADLINE | REASON | | | | | | | | | | | | | | |
|---|---|---------------|----------------|----------------------|----------------------|------------------------------|-----------------------------------|---|------------------|--|---------------------------------|--|---|---|--|---|
| Zoning Ordinance Amendment | | | | | | | | | | | | | | | | |
| DETAILS | | | | | | | | | | | | | | | | |
| Specific Location and/or Address 5803 Decatur Road | | | | | | | | | | | | | | | | |
| Reason for Project Mobile Home Sales Lot | | | | | | | | | | | | | | | | |
| Discussion (Including relationship to other Council actions) <u>27 January 1986 - Public Hearing</u> John Myers, 1503 E. Paulding Road, petitioner stated that he was requesting the rezoning in order to put a Mobile Home Sales Lots on the property. Mel Smith questioned what was presently on the property. Mr. Myers stated there was at one time a beauty salon, but the property was presently vacant. Russ Kaiser, owner of the property appeared before the Commission. Mr. Kaiser stated he was in favor of the rezoning. There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning. | | | | | | | | | | | | | | | | |
| POSITIONS <table border="1"> <tr> <td>Sponsor</td> <td>City Plan Commission</td> </tr> <tr> <td>Area Affected</td> <td>City Wide Other Areas</td> </tr> <tr> <td>Applicants/ Proponents</td> <td>Applicant(s) John L. Myers City Department Other</td> </tr> <tr> <td>Opponents</td> <td>Groups or Individuals Basis of Opposition</td> </tr> <tr> <td>Staff Recommendation</td> <td><input type="checkbox"/> For <input checked="" type="checkbox"/> Against Reason Against 1) adverse impact in area</td> </tr> <tr> <td>Board or Commission Recommendation</td> <td>By <input type="checkbox"/> For <input checked="" type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition)</td> </tr> <tr> <td>CITY COUNCIL ACTIONS (For Council use only)</td> <td><input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass</td> </tr> </table> | | | Sponsor | City Plan Commission | Area Affected | City Wide Other Areas | Applicants/ Proponents | Applicant(s) John L. Myers City Department Other | Opponents | Groups or Individuals Basis of Opposition | Staff Recommendation | <input type="checkbox"/> For <input checked="" type="checkbox"/> Against Reason Against 1) adverse impact in area | Board or Commission Recommendation | By <input type="checkbox"/> For <input checked="" type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition) | CITY COUNCIL ACTIONS (For Council use only) | <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass |
| Sponsor | City Plan Commission | | | | | | | | | | | | | | | |
| Area Affected | City Wide Other Areas | | | | | | | | | | | | | | | |
| Applicants/ Proponents | Applicant(s) John L. Myers City Department Other | | | | | | | | | | | | | | | |
| Opponents | Groups or Individuals Basis of Opposition | | | | | | | | | | | | | | | |
| Staff Recommendation | <input type="checkbox"/> For <input checked="" type="checkbox"/> Against Reason Against 1) adverse impact in area | | | | | | | | | | | | | | | |
| Board or Commission Recommendation | By <input type="checkbox"/> For <input checked="" type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition) | | | | | | | | | | | | | | | |
| CITY COUNCIL ACTIONS (For Council use only) | <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass | | | | | | | | | | | | | | | |
| RECOMMENDATIONS | | | | | | | | | | | | | | | | |

DETAILS

3 February 1986 - Business Meeting

Of the eight members present 7 voted in favor of returning the ordinance to the Common Council with a DO NOT PASS recommendation one did not vote. Motion carried.

POLICY/PROGRAM IMPACT

| | | |
|--------------------------------------|-----------------------------|------------------------------|
| Policy or Program Change | <input type="checkbox"/> No | <input type="checkbox"/> Yes |
| | | |
| Operational Impact Assessment | | |
| | | |

(This space for further discussion)

Project Start

Date December 16, 1986

Projected Completion or Occupancy

Date 5 February 1986

Fact Sheet Prepared by

Date 5 February 1986

Patricia Biancaniello

Reviewed by

Gary Bacter

Date

2/5/86

Reference or Case Number

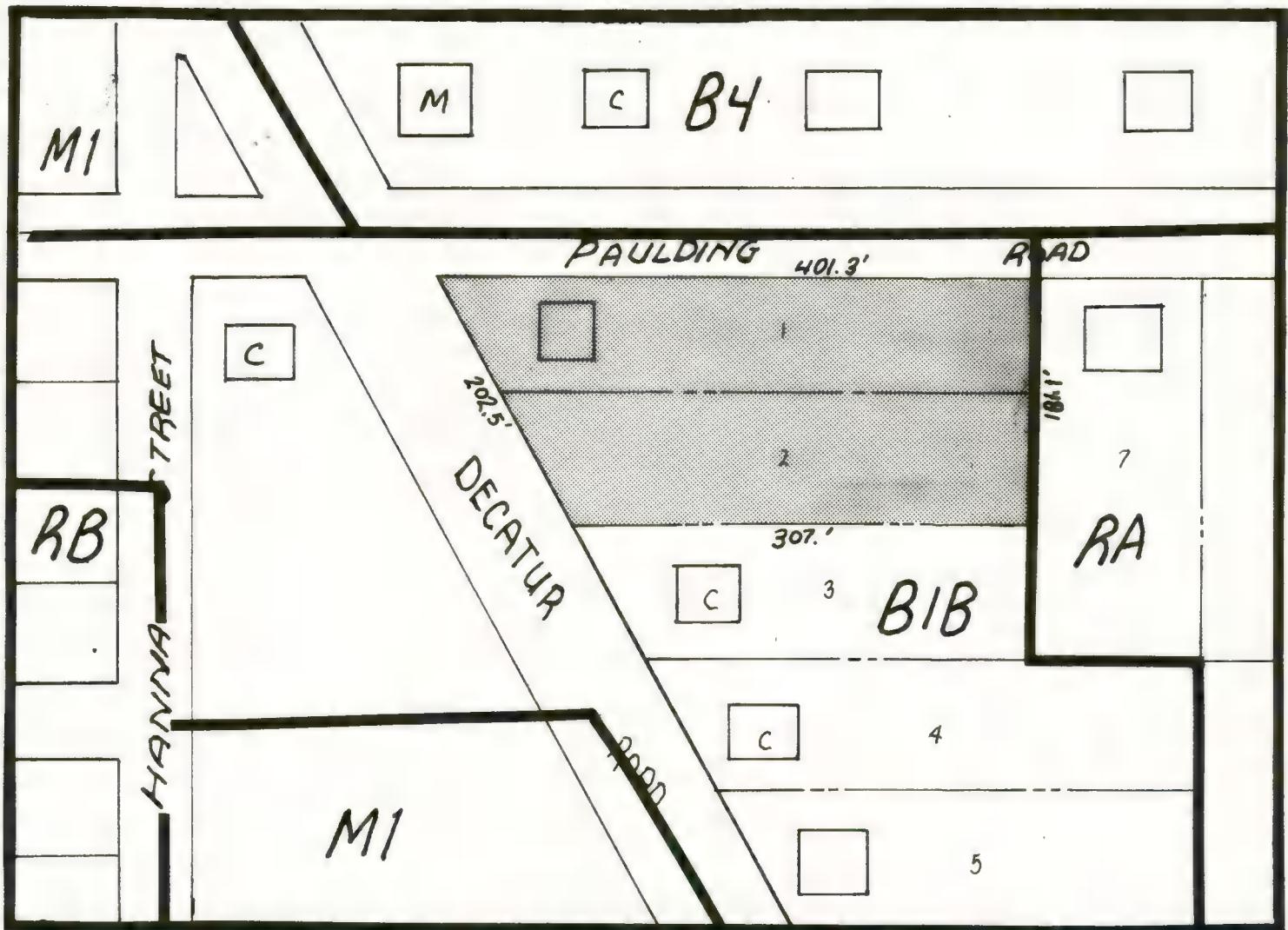
REZONING PETITION

#177

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A B1B DISTRICT TO A B3B DISTRICT.

MAP NO. N-23

COUNCILMANIC DISTRICT NO. 6



Zoning:

- B1B LIMITED BUSINESS 'B'
- B4 ROADSIDE BUSINESS
- RB RESIDENCE 'B'
- RA RESIDENCE 'A'
- M1 LIGHT INDUSTRY

Land Use:

- SINGLE FAMILY
- MULTI-FAMILY
- COMMERCIAL



Scale: 1"=100'

21 Date: 1-6-86

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 28, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-01-24; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 27, 1986.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

- (1) the grant will be injurious to the public health, safety, morals and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 3, 1986.

Certified and signed this
5th day of February 1986.



Melvin O. Smith
Secretary

Change of Zone #177

PROPOSAL: John Myers petitions for a change of zone from B-1-B to B-3-B.

GENERAL INFORMATION:

Location: 5803 Decatur Road
Legal Description: Lot 1 & 2 Southside Suburban Pl Add
Existing Zoning: B-1-B
Size of Property: 1.64 Acres, ±
Surrounding Land Use & Zoning: North - B-4 Commercial & Multi-family
South - B-1-B Commercial
East - RA Residential
West - B-1-B Commercial
Reason For Request: Not Stated
Applicable Regulations: B-1-B is a limited business district.

SPECIAL INFORMATION:

Public Utilities: Are in the area.
Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezonings and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developer. The goal in the Middle Ring, where this request is located, is to maintain investments and prevent deterioration in existing neighborhoods. This area is designated for commercial uses in the Comprehensive Plan.
Neighborhood Planning: There is no neighborhood plan for this area.
Urban Design: No Comment
HANDS: No Comment
Housing Authority: No Comment

Change of Zone #177
10 January 1986

Page two

SHED: No Comment

PLANNING STAFF DISCUSSION:

This area is shown in the Comprehensive Plan as being of commercial use. The existing zoning is a limited business designation. The immediate area of the petitioned parcel has more intense zoning classifications, namely B-4 and M-1, with an RA district to the east.

The uses in this area seem to be of a more limited or less intense scale, and there appear to be divisional lines based on Paulding and Decatur Roads.

The existing zoning appears to be appropriate based on the uses in place, and on its physical proximity to residential uses. Approval of this petition would encourage the up-zoning of additional B-1-B land located south. The Commission may wish, or direct the Zoning Ordinance Review Committee, to look at the possible downzoning of this area.

RECOMMENDATION: Denial

- 1) Rezoning is not appropriate due to the adverse impact on the surrounding residentially used properties.
- 2) Existing designations are generally more intense than what existing development dictates.



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

5 February 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

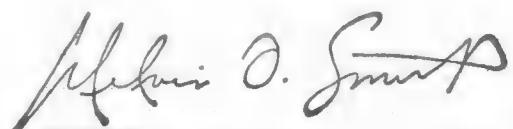
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-86-01-22

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
5th day of February 1986.



Melvin O. Smith
Secretary

FACT SHEET

Z-86-01-22

BILL NUMBER**Division of Community
Development & Planning**

| BRIEF TITLE | APPROVAL DEADLINE | REASON | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|------------------|------------------------|---|---------|----------------------|--|---------------|-----------|--|--|-------------|--|---------------------------|--|--|-----------|---|---|-------------------------|--|--|--|--|--|--|---|
| Zoning Ordinance Amendment | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DETAILS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Specific Location and/or Address Parcel located adjacent to the Northwest corner of the Marketplace of Canterbury.</td> <td style="padding: 5px;">POSITIONS</td> <td style="padding: 5px;">RECOMMENDATIONS</td> </tr> <tr> <td style="padding: 5px;">Reason for Project To give parcel a better sale value.</td> <td style="padding: 5px;">Sponsor</td> <td style="padding: 5px;">City Plan Commission</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">Area Affected</td> <td style="padding: 5px;">City Wide</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> <td style="padding: 5px;">Other Areas</td> </tr> <tr> <td style="padding: 5px;">Discussion (Including relationship to other Council actions) <u>27 January 1986 - Public Hearing</u></td> <td style="padding: 5px;">Applicants/ Proponents</td> <td style="padding: 5px;">Applicant(s) Allen County Commissioners City Department Other</td> </tr> <tr> <td style="padding: 5px;">NOTE: George Martin, legal counsel for the Commission disqualified himself from this case.</td> <td style="padding: 5px;">Opponents</td> <td style="padding: 5px;">Groups or Individuals Marketplace of Canterbury Basis of Opposition -rezoning would take unfair advantage of the center's established amenities</td> </tr> <tr> <td style="padding: 5px;">Ted Sholeff, representing the Allen County Board of Commissioners appeared before the Commission. 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He stated that if the Commission thinks about it that in simple fairness the owner of a shopping center in which is expended \$100,000 to resurface the parking lot, in which has to be striped and paint lanes in and which has to be lighted, that it would be unfair to allow someone to use the access without having any responsibility for its maintenance and repair. 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DETAILS

Ted Sholeff stated in rebuttal that he could understand the shopping center desire to eliminate any other bidders. He stated however that every parcel has the highest and best use. He stated that he doubted that anyone would want to build a residence on this parcel. He stated that they are not representing the parcel as a great commercial property, but it does have to be sold, and they were aware of this when they put in the center.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

POLICY/PROGRAM IMPACT

(This space for further discussion)

3 February 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO NOT PASS recommendation. Of the eight members present 7 voted in favor of denial one did not vote.

Motion carried.

Project Start **Date** 19 November 1986

Projected Completion or Occupancy **Date** 5 February 1986

Fact Sheet Prepared by [Redacted] **Date** 5 February 1986

Patricia Biancaniello

Reviewed by _____ **Date** _____

Dick Butta 2/5/86

Reference or Case Number

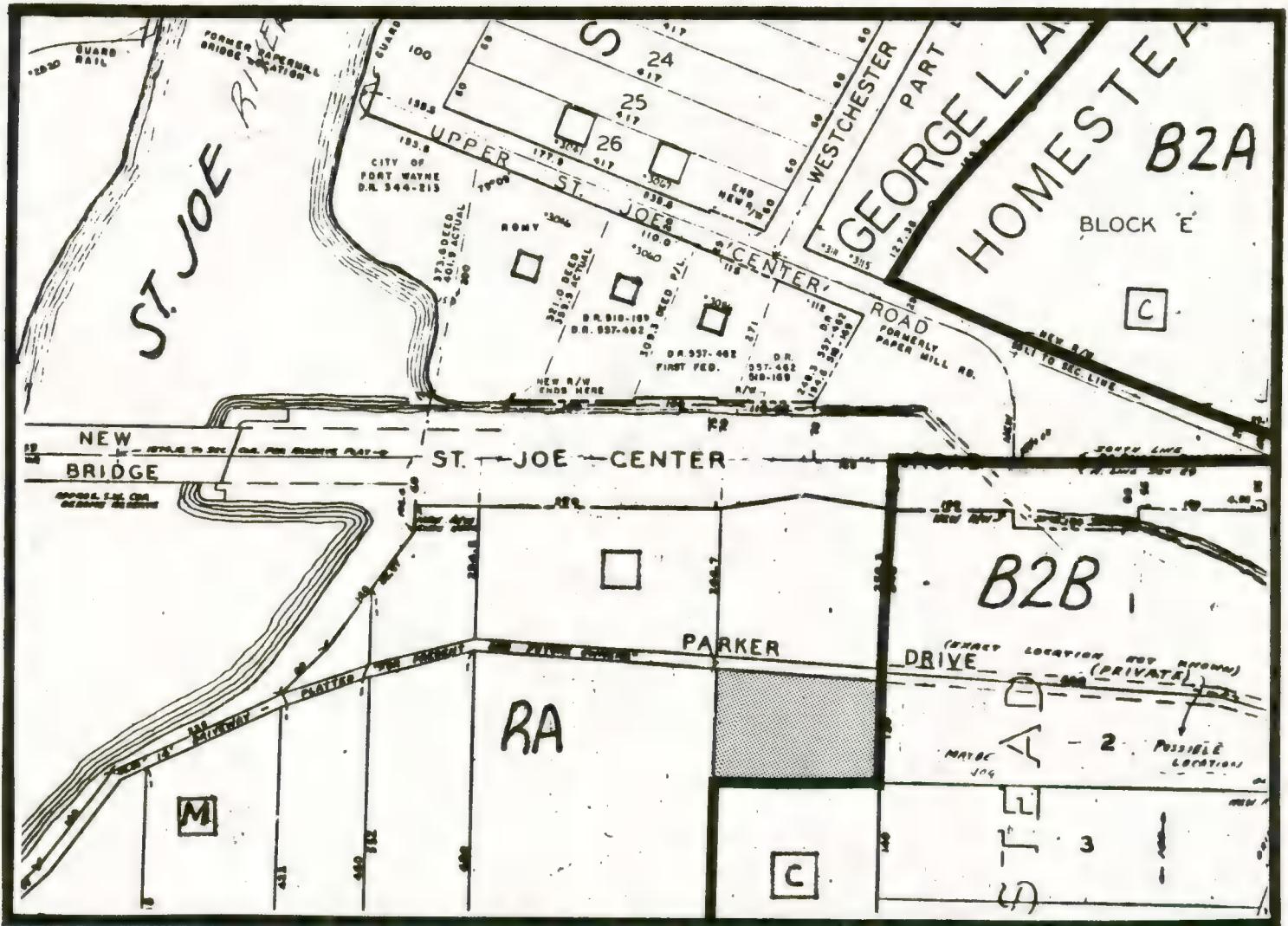
REZONING PETITION

#178

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING
DESCRIBED PROPERTY FROM AN RA DISTRICT TO A B2B DISTRICT.

MAP NO. Q-34

COUNCILMANIC DISTRICT NO. 2



Zoning:

B2A NEIGHBORHOOD SHOPPING CENTER
B2B COMMUNITY SHOPPING CENTER
RA RESIDENCE 'A'

Land Use:

- SINGLE FAMILY
- MULTI-FAMILY
- COMMERCIAL



Scale: 1" = 200'

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 28, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-01-22; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 27, 1986.

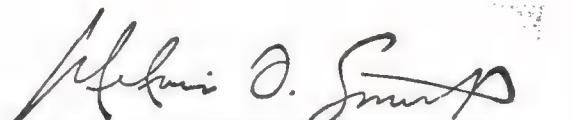
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

- (1) the grant will be injurious to the public health, safety, morals and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 3, 1986.

Certified and signed this
5th day of February 1986.



Melvin O. Smith
Secretary

Change of Zone #178

PROPOSAL: The Allen County Board of Commissioners petitions for a change of zone from RA to B-2-B.

GENERAL INFORMATION:

Location: Parcel is located adjacent to the Northwest corner of the Marketplace of Canterbury.

Legal Description: Metes & Bounds in File

Existing Zoning: RA

Size of Property: 1.05 Acres, ±

Surrounding Land Use & Zoning:
North - RA
South & East - B2B - Mktplc of Canterbury
West - RA

Reason For Request: Expansion of boundary for Marketplace of Canterbury

Applicable Regulations: RA is primarily a residential designation with some other limited uses permitted.

SPECIAL INFORMATION:

Public Utilities: Are in area

Comprehensive Plan: No Comment

Neighborhood Planning: There is no neighborhood plan for this area.

Urban Design: No Comment

HANDS: No Comment

Housing Authority: No Comment

SHED: No Comment

PLANNING STAFF DISCUSSION:

This petition would allow the expansion of a B2B district by about 1 acre. The location of this small parcel is such that access would more than likely be easiest thru the existing commercial area, as opposed to St. Joe Center Road. This parcel abuts the shopping center on two sides presently, and the

Change of Zone #178
10 January 1986

Page two

existing RA designation is probably no longer the highest and best use of this parcel.

Rezoning to B2B would allow for commercial use of the property, while retaining development plan approval of the Plan Commission.

RECOMMENDATION:

Approval

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 19/86/E
20/86/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

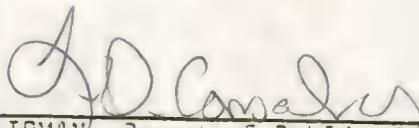
40 Cesters

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 19/86/E
20/86/E)

I hereby certify that I did this 30th day of
January, 1986 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clark and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 19/86/E
20/86/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.



CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 19/86/E

(Adopted January 30, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 202/85/E: STOP

INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 28, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

January 30, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Huron Street -- stop -- for Center Street

REGULATORY RESOLUTION NO. 20/86 /E

(Adopted January 30, 1986)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 205/85/E: DELETE:

NO PARKING (TEMPORARY) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 28, 1986, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

January 30, 1986, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: NO PARKING (TEMPORARY) (EMERGENCY)

Northside Drive -- east side -- from State Boulevard to 700 feet north thereof

Sam Talarico
President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 21/86/E
22/86/E
23/86/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

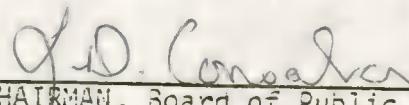


Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 21/86/E
22/86 /E)
23/86/E

I hereby certify that I did this 6th day of
February, 1986 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 21/86/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.


D.O. Conover
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 21/86 /E

(Adopted February 6, 1986)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 206/85/E: DELETE:
15 MINUTE PARKING 8 A.M. to 6 P.M. (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 31, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

February 6, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

15 MINUTE PARKING 8 A.M. to 6 P.M. (EMERGENCY)

Calhoun Street -- west side -- from 80' south of Washington Boulevard to 36' south thereof

REGULATORY RESOLUTION NO. 22/86/E

(Adopted February 6, 1986)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 207/85/E: IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 4, 1986, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

February 6, 1986, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

Woodview Manor Apartments — southeast corner of Building Number 14
3506 Timberhill Drive (1 stall)

REGULATORY RESOLUTION NO. 23/86 /E

(Adopted February 6, 1986)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 208/85/E: IMPAIRED

MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 4, 1986, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

February 6, 1986, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

4331 Queen Street -- east side -- from 65' north of Werling Drive to 20' north thereof

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its

Regular Session, held on Tuesday, February 11,
the 11th day of February, 1986,

that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 12th day of February, 1986

SANDRA E. KENNEDY, CITY CLERK